

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2009-167987-001 SE

03/17/2010

JUDGE PRO TEM JERRY BERNSTEIN

CLERK OF THE COURT
T. Nestor-Donohue
Deputy

STATE OF ARIZONA

JON ELIASON

v.

SCOTT SAMUEL ODELL (001)
DOB: 11/25/1968

CATHRYN B WHALEN

APO-SENTENCINGS-SE
APPEALS-CCC
DISPOSITION CLERK-CSC
RFR
VICTIM SERVICES DIV-CA-SE

SUSPENSION OF SENTENCE - PROBATION GRANTED/IMPRISONMENT

8:48 a.m.

Courtroom SEF202

| | |
|-----------------------|-----------------|
| State's Attorney: | Robin Petrowski |
| Defendant's Attorney: | David Brown |
| Defendant: | Present |

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

The plea is accepted.

Let the record reflect that the Court is in receipt of correspondence written on behalf of the Defendant.

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Count(s) I: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count I Aggravated Driving or Actual Physical Control While Under the Influence of Intoxicating Liquor or Drugs

Class Four (4) Felony

A.R.S. § 28-1383(A)(1), (D), (J), (H), (K), (L), 1384, 1444, 1461, 3304, 3305, 3306, 3315, 1304, 12-114.01, 13-610, 701, 702 and 801.

Date of Offense: 07/22/2009

Non Dangerous - Non Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count I Aggravated Driving or Actual Physical Control While Under the Influence of Intoxicating Liquor or Drugs: Four (4) month(s) from 03/17/2010

Presentence Incarceration Credit: 0 day(s)

IT IS ORDERED suspending imposition of sentence and, under the supervision of the Adult Probation Department (APD), placing the defendant on probation for:

Count I Aggravated Driving or Actual Physical Control While Under the Influence of Intoxicating Liquor or Drugs Probation Term: Thirty (30) Months

Upon release from prison for felony DUI (Four (4) months; 0 days credit).

Conditions of probation include the following:

Condition 16 - Restitution, Fines, and Fees:

PROBATION SERVICE FEE: Count I - \$65.00 per month, beginning 08/15/2010.

FINE: Count I - Total amount of \$1380.00, which includes surcharges of 84%, payable \$50.00 per month beginning 08/15/2010.

ASSESSMENTS:

Count I: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00.

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Count I: PROBATION SURCHARGE: \$20.00.

Count I: \$250.00 to the DUI Abatement Fund, payable \$5.00 per month, beginning 08/15/2010.

Count I: \$1500.00 to the Prison Construction and Operations Fund, payable \$30.00 per month, beginning 08/15/2010.

Count I: \$1500.00 to the State General Fund pursuant to A.R.S. § 28-1383, payable \$30.00 per month, beginning 08/15/2010.

All amounts payable through the Clerk of the Superior Court.

Condition 17 - Not consume or drink any substance containing alcohol.

Condition 24 - Participate and cooperate in any counseling or assistance as directed by the APD as noted in the Uniform Conditions of Supervised Probation.

IT IS ORDERED granting the Motion To Dismiss the following: Count II.

Count(s) I: IT IS ORDERED authorizing the Maricopa County Sheriff to deliver Defendant to the Arizona Department of Corrections.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes and pay the applicable fee for the cost of that testing in accordance with A.R.S. § 13-610.

8:57 a.m. Matter concludes.

ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ JUDGE PRO TEM JERRY BERNSTEIN
JUDICIAL OFFICER OF THE SUPERIOR COURT

(right index fingerprint)